

# **Exhibit 1**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re: :  
WOOD, : Docket #20cv2489  
Plaintiff, : 1:20-cv-02489-LTS-GWG  
- against - :  
MIKE BLOOMBERG 2020, INC., :  
Defendant. : New York, New York  
: July 16, 2020  
----- : TELEPHONE CONFERENCE

PROCEEDINGS BEFORE  
THE HONORABLE GABRIEL W. GORENSTEIN,  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

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2 whatever.

3 MS. ABRAHAMSON: Yes.

4 THE COURT: So it doesn't seem like there is any  
5 issue of custodians because you don't care who emailed  
6 them. Your client is essentially the custodian and  
7 there's no one else's emails need to be searched, am I  
8 right or am I wrong?

9 MS. ABRAHAMSON: Yes, Your Honor, I was  
10 referring to the plaintiff as the custodian, I'm sorry  
11 if that was unclear. So as the case progresses we  
12 would want to search other custodians' emails but we  
13 would be content at the initial phase of just  
14 searching our own plaintiffs' emails that are in the  
15 possession of defendants right now.

16 THE COURT: And the reasons you would want  
17 other custodians down the road is you want to see if  
18 other custodians talk to each other about whatever  
19 these promises and inducements were, is that right?

20 MS. ABRAHAMSON: Yes, Your Honor.

21 THE COURT: Okay, but you are ready to start  
22 just with your plaintiffs?

23 MS. ABRAHAMSON: Yes, Your Honor.

24 THE COURT: Okay. So anyway, I told you to  
25 hold the thought, keep going.

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2 MS. ABRAHAMSON: The one additional thought is  
3 just the reason there is some urgency to this is that  
4 the campaign no longer exists and we do have concerns  
5 about the accessibility of the witnesses. And we think  
6 that having this preliminary ESI would help us see who  
7 potential witnesses would be as the case moved along.  
8 And it has been our experience as attorneys that when  
9 witnesses are not within the control of the defendant  
10 it is harder to contact them, it's harder to get  
11 documents from them, and it is harder to schedule  
12 depositions for them. And so we think there is some  
13 timeliness urgency in moving forward.

14

You know, we also do have, there have been  
15 times even when both parties are proceeding in  
16 complete good faith that there is a discrepancy in the  
17 way preservation is interpreted. And the longer it  
18 goes before we are able to receive any of the  
19 documents, the more we have concerns that there might  
20 be some preservation issues that would be harder to  
21 address.

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THE COURT: Okay, are you done on the  
discovery issue?

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MS. ABRAHAMSON: Yes, Your Honor.

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THE COURT: All right, I'm going to do

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C E R T I F I C A T E

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I, Carole Ludwig, certify that the foregoing  
transcript of proceedings in the United States District  
Court, Southern District of New York, Wood versus Mike  
Bloomberg 2020, Inc., Docket #20cv2489, was prepared using  
PC-based transcription software and is a true and accurate  
record of the proceedings.

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*Carole Ludwig*

Signature \_\_\_\_\_

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Carole Ludwig

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Date: July 20, 2020

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